

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #17
PRESENTATION OF EVIDENCE**

~~July 1, 2008~~ January 1, 2009

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X			X	
X		X			X	
X		X			X	
X		X			X	
X		X			X	
X		X			X	
X	X	X			X	
X		X			X	X
X		X			X	X
X		X			X	X
X		X			X	X

I. LEARNING NEED

Peace officers must know the rules of evidence as they pertain to relevancy, types of evidence, authentication and chain of custody.

LEARNING OBJECTIVES

- A. Recognize relevance as it pertains to the admissibility of evidence
- B. Identify four types of evidence:
 - 1. Testimonial
 - 2. Real
 - 3. Demonstrative
 - 4. Circumstantial
- C. Recognize the process of authentication of evidence
- D. Understand what constitutes the legal chain of custody for evidence

II. LEARNING NEED

Peace officers must know the requirements and exceptions for the admissibility of evidence.

LEARNING OBJECTIVES

- A. Recognize a peace officer's role and responsibilities in ensuring the admissibility of evidence:
 - 1. California Evidence Code 352
 - 2. Exclusionary Rule
 - 3. Opinion and expert testimony
 - 4. Privilege

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X		X			X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

5. Credibility of witnesses

B. Recognize the requirements and exceptions for admitting hearsay evidence for:

1. Spontaneous statements
2. Admissions and confessions
3. Dying declarations
4. Records and officer testimony
5. Hearsay testimony at preliminary hearings
 - a. By active and honorably retired peace officers

III. LEARNING NEED

For a peace officer's testimony to be given serious consideration by the court, it is essential that officers present themselves as professional, credible, and reliable witnesses.

- A. Identify a peace officer's responsibilities regarding pretrial preparation
- B. Identify aspects of a case that peace officers should review prior to giving testimony
- C. Identify factors related to a peace officer's personal appearance that can influence how an officer's testimony is received by the court
- D. Identify appropriate peace officer responses while testifying as a witness
- E. Identify appropriate responses when a peace officer is unsure of or does not know the answer to a question asked by an attorney
- F. Identify appropriate responses when asked to give an opinion while testifying
- G. Recognize the importance of being a truthful peace officer while testifying in court

IV. REQUIRED TESTS

NONE

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
6	2	2	4		6	2

V. LEARNING ACTIVITIES

- A. The student will participate in a simulated criminal trial by either providing testimony or critiquing testimony provided by another person. The simulation shall incorporate a variety of questioning styles that peace officers are likely to encounter on the witness stand, including:
1. Badgering/belligerent
 2. Offensive
 3. Friendly
 4. Condescending
 5. Hearsay questions and testimony at a preliminary hearing
 - a. By active and honorably retired peace officers.

VI. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on presentation of evidence.

VII. ORIGINATION DATE

January 1, 2001

VIII. REVISION DATE

January 1, 2002	January 19, 2007	<u>January 1, 2009</u>
January 1, 2004	July 1, 2007	
September 15, 2004	August 8, 2007	
January 1, 2006	July 1, 2008	